UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,074	09/21/2000	Bret Alden Greenstein	AUS9-2000-0384-US1	8919

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EXAMINER
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ART UNIT	PAPER NUMBER
2155	4

DATE MAILED: 11/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/666,074	GREENSTEIN ET AL.
	Examiner	**Art Unit**
	Young N Won	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 September 2000</u> .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-54</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-54</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____ .

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)		4)☐ Interview Summary (PTO-413) Paper No(s). _____ .
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)		5)☐ Notice of Informal Patent Application (PTO-152)
3)☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>3</u> .		6)☐ Other: .

DETAILED ACTION

1.   Claims 1-54 have been examined and are pending with this action.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) do not apply to the examination of this application as the application

being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily

published under 35 U.S.C. 122(b). Therefore, this application is examined under 35

U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2.   Claims 1-6, 18-20, 30-34, 40-42, and 52 are rejected under 35 U.S.C. 102(e) as

being anticipated by Moezzi et al. (US 5850352 A).

As per claims 1, 30, and 52, Moezzi teaches a method, an apparatus, and a

computer program product, in a computer readable medium of a data processing

system (see col.7, lines 8-10), comprising: rendering a three-dimensional environment (see col.1, lines 37-43 and col.24, lines 34-35); receiving shared data (see col.47, lines 49-61) including orientation information (see col.28, lines 28-31; col.29, lines 34-40; and col.31, lines 9-13) from a server (see col.51, lines 15-20; col.53, lines 50-52); and displaying a virtual representation of the shared data in the three-dimensional environment based on the orientation information (see col.49, lines 51-57; col.51, lines 24-30; and col.58, lines 62-65).

As per claims 2 and 31, Moezzi further teaches wherein the shared data includes two-dimensional data (see col.51, lines 15-20).

As per claims 3 and 32, Moezzi further teaches wherein the virtual representation is a surface texture image (see col.24, lines 44-53).

As per claims 4 and 33, Moezzi further teaches wherein the three-dimensional environment includes at least one three-dimensional object and the step of displaying a virtual representation comprises: applying the surface texture image to the three-dimensional object (see col.24, lines 44-53 and col.42, line 62 to col.43, line 3).

As per claims 5 and 34, Moezzi further teaches wherein the orientation information identifies the three-dimensional object (see col.19, lines 11-35).

As per claim 6, Moezzi further teaches wherein the two-dimensional data comprises one of a word processing document, a spreadsheet document, and a presentation document (see col.11, lines 26-29).

As per claims 18 and 40, Moezzi further teaches wherein the shared data is three-dimensional data (see col.47, lines 49-61).

As per claims 19 and 41, Moezzi further teaches wherein the virtual

representation is a three-dimensional object (see col.42, line 62 to col.43, line 3).

As per claims 20 and 42, Moezzi further teaches wherein the orientation

information identifies a location and orientation for the virtual representation in the

three-dimensional environment (see col.12 lines 9-26 and col.18, lines 31-37).

3.   Claims 28, 50, and 54 are rejected under 35 U.S.C. 102(e) as being anticipated

by Chan et al. (US 6346938 B1).

As per claims 28, 50, and 54, teaches a method, an apparatus, and a computer

program product, in a computer readable medium of a data processing system,

comprising: rendering a three-dimensional environment from the perspective of a first,

participant, the three-dimensional environment including an avatar representing a

second participant; receiving a selection of the avatar from the first participant; receiving

a selection of a file to be transferred from the first participant; and transferring the file to

a client computer associated with the second participant (see col.8, lines 11-28 and

col.23, lines 1-13).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the

> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moezzi et

al. (US 5850352 A) in view of Durst et al. (US 5933829 A). Moezzi teaches all the

limitation of claim 7, except wherein the two-dimensional data comprises a uniform

resource locator. Durst teaches wherein the two-dimensional data comprises a uniform

resource locator (see col.5, lines 10-12). It would have been obvious to a person of

ordinary skill in the art at the time the invention was made to employ the teachings of

Durst within the system of Moezzi by implementing two-dimensional data comprising a

uniform resource locator within the data processing method, apparatus, and program

because Durst teaches that whatever data included within a code depends on the

"application desired by the vendor" (see col.4, lines 59-60), therefore the two-

dimensional data may comprise any information preferred by the vendor and does not

functionally relate to the steps recited.

5.   Claims 8, 9, 35, and 36 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Moezzi et al. (US 5850352 A) in view of Paulini et al (US 5224160 A).

As per claims 8, 9, 35, and 36, Moezzi does not explicitly teach of further

comprising executing an external plug-in application to decode the shared data to form

the virtual representation of the shared data. Paulini teaches of an external plug-in

application to decode the shared data to form the virtual representation of the shared

data (see col.6, line63 to col.7, line 32). It would have been obvious to a person of

ordinary skill in the art at the time the invention was made to employ the teachings of

Paulini within the system of Moezzi by implementing external plug-in application to decode the shared data within the data processing method, apparatus, and program because this would enable the system to be administered by a central server thereby eliminating each user device to posses it's own copy of the application and resulting in decreased cost and universal implementation.

6.   Claims 10 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moezzi et al. (US 5850352 A) and Paulini et al (US 5224160 A), and further in view of Hall et al. (US 6138119 A). Moezzi and Paulini do not explicitly teach wherein the shared data includes a wrapper application and the step of executing an external application comprises executing the wrapper application. Hall teaches wherein the shared data includes a wrapper application and the step of executing an external application comprises executing the wrapper application (see col.9, lines 52-56). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Hall within the system of Moezzi and Paulini by implementing wrapper application within the data processing method, apparatus, and program because Hall teaches that wrappers are employed to control compatibility, "thereby limiting flexibility and the ability to customize". In the case of sharing data among plurality of remote users, wrapper allows for variations in the devices or programs to be compatible.

7.   Claims 11-17, 21-27, 38, 39, 43-49, and 53 are rejected under 35 U.S.C. 103(a)
as being unpatentable over Moezzi et al. (US 5850352 A) in view of Dawson (US
5727155 A).

As per claims 11 and 38, Moezzi does not explicitly teach of further comprising:
performing a modification to the shared data; generating a shared data update event
indicating the modification; and sending the shared data update event to the server.
Dawson teaches of performing a modification to the shared data (see col.2, lines 35-
38); generating a shared data update event indicating the modification (see col.7, lines
15-19 and col.11, lines 20-44); and sending the shared data update event to the server
(see col.11, lines 40-44). It would have been obvious to a person of ordinary skill in the
art at the time the invention was made to employ the teachings of Dawson within the
system of Moezzi by implementing performing a modification to the shared data;
generating a shared data update event indicating the modification; and sending the
shared data update event to the server within the data processing method, apparatus,
and program because Moezzi teaches that for future updating, any changes should be
propagated to ensure consistency (see col.27, lines 5-8).

As per claim 12, Moezzi does not explicitly teach wherein the shared data
includes access control information indicating an access control level for a user.
Dawson teaches wherein the shared data includes access control information indicating
an access control level for a user (see claim 21 rejection below).

As per claim 13, Dawson further teaches wherein the access control level is one of ownership, authorship, viewership, monitorship, and blind (see col.2, lines 1-3 and col.8, lines 25-30).

As per claim 14, Dawson further teaches of receiving a request to modify the shared data; and determining whether the user has a sufficient access control level (see claim 11 rejection above).

As per claim 15, Dawson further teaches of modifying the shared data if the user has a sufficient access control level (see claim 11 rejection above).

As per claim 16, Dawson further teaches of notifying the user of insufficient access control if the user does not have a sufficient access control level (see col.12, lines 8-13).

As per claims 17 and 39, Moezzi further teaches of displaying a modified representation of the modified data in the three-dimensional environment (see col.27, lines 40-43 and col.28, lines 36-43), but Moezzi does not teach of further comprising: receiving a shared data update event indicating a modification to the shared data; and modifying the shared data according to the shared data update event to form modified data. Dawson teaches of receiving a shared data update event indicating a modification to the shared data (see claim 11 rejection above); and modifying the shared data according to the shared data update event to form modified data (see claim 11 rejection above).

As per claims 21, 43, and 53, Moezzi teaches a method, an apparatus, and a computer program product, in a computer readable medium of a data processing

system (see col.7, lines 8-10), comprising: rendering a three-dimensional environment (see col.1, lines 37-43 and col.24, lines 34-35); receiving shared data (see col.47, lines 49-61); and displaying a virtual representation of the shared data in the three-dimensional environment from a server (see col.49, lines 51-57; col.51, lines 24-30; and col.58, lines 62-65). Moezzi does not teach of the shared data including access control information indicating an access control level for a user (see abstract) and displaying based on the access control level (see col.2, lines 38-43). Dawson teaches of shared data including access control information indicating an access control level for a user and displaying based on the access control level. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Moezzi by implementing access control within the data processing method, apparatus, and program because Dawson teaches that in a shared (see title) environment, "relinquishing complete control" may be "detrimental" because it allows the user to have access to information the host or server does not want the user to have. Dawson further adds other motivation for including access control (see col.1, line 54 to col.2, line 26).

As per claims 22 and 44, Dawson further teaches wherein the access control level is one of an ownership access control level, an authorship access control level, a viewership access control level, a monitorship access control level, and a blind access control level (see claim 13 rejection above).

As per claims 23 and 45, Dawson further teaches of receiving a request to modify the shared data; and determining whether the user has a sufficient access control level (see claim 14 rejection above).

As per claims 24 and 46, Dawson further teaches of modifying the shared data if the user has a sufficient access control level (see claim 15 rejection above).

As per claims 25 and 47, Dawson further teaches of generating a shared data update event indicating the modification; and sending the shared data update event to the server (see claim 11 rejection above).

As per claims 26 and 48, Dawson further teaches of notifying the user of insufficient access control if the user does not have a sufficient access control level (see claim 16 rejection above).

As per claims 27 and 49, Moezzi and Dawson teaches of further comprising: receiving a shared data update event indicating a modification to the shared data; modifying the shared data according to the shared data update event to form modified data; and displaying a modified representation of the modified data in the three-dimensional environment based on the access control level of the user (see claim 17 rejection above).

8.   Claims 29 and 51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chan et al. (US 6346938 B1) in view of Dawson (US 5727155 A). Chan teaches all the limitations of claims 29 and 51 except of further comprising: sending a transfer request to the second participant; receiving an acceptance from the second participant;
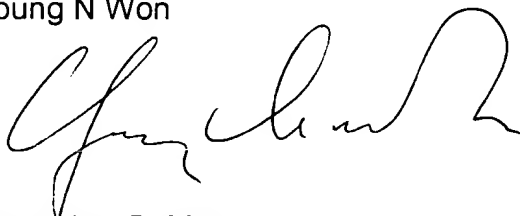
wherein the step of transferring the file to a client computer is performed in response to receiving the acceptance. Dawson teaches of sending a transfer request to the second participant (see col.2, lines 5-10); receiving an acceptance from the second participant (see col.11, lines 40-44); wherein the step of transferring the file to a client computer is performed in response to receiving the acceptance (see col.11, lines 40-44).

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Young N Won whose telephone number is 703-605-4241. The examiner can normally be reached on M-Th: 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Young N Won

November 5, 2003

HOSAIN ALAM
SUPERVISORY PATENT EXAMINER